



DEPARTMENT OF THE NAVY  
BOARD FOR CORRECTION OF NAVAL RECORDS  
2 NAVY ANNEX  
WASHINGTON DC 20370-5100

ELP  
Docket No. 1297-99  
23 June 2000

From: Chairman, Board for Correction of Naval Records  
To: Secretary of the Navy

Subj: REVIEW OF NAVAL RECORD OF [REDACTED]

Ref: (a) 10 U.S.C. 1552

Encl: (1) DD Form 149 w/attachments  
(2) Case Summary  
(3) Subject's naval record

1. Pursuant to the provisions of reference (a), Petitioner, a former enlistment member of the United States Navy, filed enclosure (a) with this Board requesting, in effect, that his reenlistment code be changed.

2. The Board, consisting of Messrs. Pfeiffer and Taylor, and Ms. Hare reviewed Petitioner's allegations of error and injustice on 21 June 2000 and, pursuant to its regulations, determined that the corrective action indicated below should be taken on the available evidence of record. Documentary material considered by the Board consisted of the enclosures, naval records, and applicable statutes, regulations and policies.

3. The Board, having reviewed all the facts of record pertaining to Petitioner's allegations of error and injustice finds as follows:

a. Before applying to this Board, Petitioner exhausted all administrative remedies available under existing law and regulations within the Department of the Navy.

b. Enclosure (1) was filed in a timely manner.

c. Petitioner enlisted in the Navy on 8 July 1998 for four years at age 17. The record reflected that he was referred to the recruit mental health unit by the chaplain due to maladjustment to military service.

d. Petitioner reported to the examining psychologist that since arriving at recruit training he had experienced a wish to

go home, ankle pain, significant distress, hopelessness, sleep insufficiency, appetite suppression, decreased concentration, and multiple sick-call visits. The command evaluated his performance as fair to poor and noted that he was "sad and depressed." The psychologist opined that Petitioner's response to recruit training represented a maladaptive reaction not found in psychologically intact recruits. Petitioner was diagnosed with an adjustment disorder with depressed mood, and an entry level separation was recommended.

e. On 6 August 1998, Petitioner was notified that administrative separation was being considered by reason of convenience of the government as evidenced by an adjustment disorder. He was advised of his procedural rights, declined to consult with counsel, and waived the right to have his case reviewed by the general court-martial convening authority. Thereafter, the discharge authority directed an uncharacterized entry level separation. On 14 August 1998, Petitioner received an uncharacterized entry level separation by reason of erroneous enlistment, and was assigned an RE-4 reenlistment code.

f. Petitioner states, in effect, that his inability to concentrate and perform during recruit training was due to the fact that he was still coping with the recent death of his grandfather and was not really ready to leave his family. He has submitted an evaluation completed by an Air Force psychiatrist subsequent to his discharge which essentially states that his adjustment disorder has been resolved.

g. Regulations authorize the assignment of an RE-3E reenlistment code to individuals discharged by reason of erroneous enlistment. This code means that an individual is eligible for reenlistment except for the disqualifying factor which led to discharge. Recruiting officials can waive this code if they are convinced that the disqualifying factor no longer exists or will not recur. An RE-4 reenlistment code means an individual is ineligible for reenlistment without prior approval from Commander, Navy Personnel Command.

#### CONCLUSION:

Upon review and consideration of all the evidence of record, the Board concludes that Petitioner's request warrant favorable action. In this regard, the Board notes that it appears Petitioner had no discipline problems during his short period of service and there is no evidence that he posed a risk for harm

to himself or others. Absent evidence to the contrary, the Board finds no demonstrable reason for assignment of the most restrictive RE-4 reenlistment code. The Board concludes that it would be appropriate and just to change the reenlistment to RE-3E.

RECOMMENDATION:

a. That Petitioner's naval record be corrected by changing the RE-4 reenlistment code, assigned on 14 August 1998, to RE-3E.

b. That any material or entries inconsistent with or relating to the Board's recommendation be corrected, removed or completely expunged from Petitioner's record and that no such entries or material be added to the record in the future.

c. That any material directed to be removed from Petitioner's naval record be returned to the Board, together with a copy of this Report of Proceedings, for retention in a confidential file maintained for such purpose, with no cross references being made a part of Petitioner's naval record.

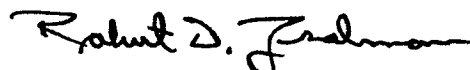
4. It is certified that a quorum was present at the Board's review and deliberations, and that the foregoing is a true and complete record of the Board's proceedings in the above entitled matter.

ROBERT D. ZSALMAN  
Recorder



ALAN E. GOLDSMITH  
Acting Recorder

5. Pursuant to the delegation of authority set out in Section 6 (e) of the revised Procedures of the Board for Correction of Naval Records (32 Code of Federal Regulations, Section 723.6(e)) and having assured compliance with its provisions, it is hereby announced that the foregoing corrective action, taken under the authority of reference (a), has been approved by the Board on behalf of the Secretary of the Navy.



W. DEAN PFEIFFER  
Executive Director